

1 BILL NO. S-86-05- 37

2 SPECIAL ORDINANCE NO. S- 97-86

3 AN ORDINANCE approving City Utilities
4 Purchase Orders #A-45860 and #A-45890,
5 by the City of Fort Wayne, Indiana, by
6 and through its Department of Purchasing
7 and the BOS Sand Company and the Wedron
8 Silica Company, respectively, for the
9 Three Rivers Filtration Plant.

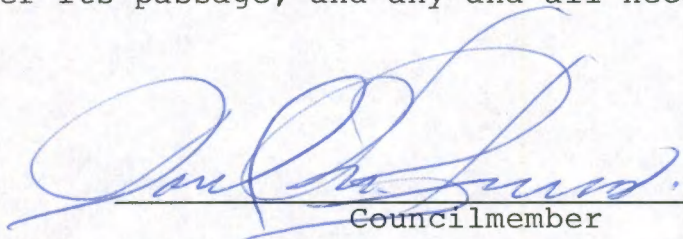
10 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
11 THE CITY OF FORT WAYNE, INDIANA:

12 SECTION 1. That City Utilities Purchase Orders #A-45860
13 and #A-45890, between the City of Fort Wayne, by and through its
14 City Utilities and the Department of Purchasing, with the BOS Sand
15 Company and the Wedron Silica Company, respectively, for the
16 Three Rivers Filtration Plant, respectfully for:

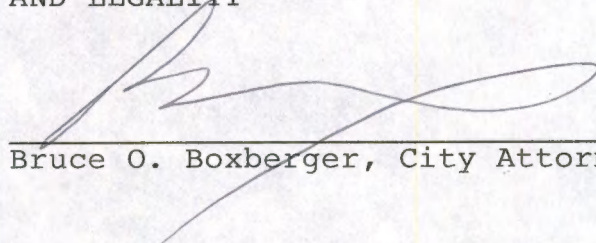
17 the purchase of Sand and Gravel for
18 the Filtration Plant filters, per the
19 specifications in Reference #780, through
20 the Three Rivers Filtration Plant;

21 involving a total cost of Fifteen Thousand Six Hundred Eighty-One
22 and 68/100 Dollars (\$15,681.68), (BOS Sand Company, \$7,057.68;
23 Wedron Silica Company, \$8,624.00), all as more particularly set
24 forth in said Purchase Orders and specifications in Reference #780,
25 which are on file in the Office of the Department of Purchasing,
26 and are by reference incorporated herein, made a part hereof, and
27 are hereby in all things ratified, confirmed and approved.

28 SECTION 2. That this Ordinance shall be in full force
29 and effect from and after its passage, and any and all necessary
30 approval by the Mayor.

31 
32 Councilmember

33 APPROVED AS TO FORM
34 AND LEGALITY

35 
36 Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Burns, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.

DATE: 5-27-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by Estabrook, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>	_____
<u>BRADBURY</u>	_____	_____	_____	<u>✓</u>	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 6-10-86

Nadaya Estabrook
SANDRA E. KENNEDY, CITY CLERK
Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ (APPROPRIATION) ~~(GENERAL)~~ (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. W-97-86 on the 10th day of June, 1986,

ATTEST:

(SEAL)

Nadaya Estabrook
SANDRA E. KENNEDY, CITY CLERK
Deputy Clerk

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of June, 1986, at the hour of 11:00 o'clock P. M., E.S.T.

Nadaya Estabrook
SANDRA E. KENNEDY, CITY CLERK
Deputy Clerk

Approved and signed by me this 12th day of June, 1986, at the hour of 3:00 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

Bid Reference #780
Open: May 13, 1986 at 10: A.M.
Filter San & Gravel
Filtration Plant

Company Name	2" X 1" Gravel	1" X 5/8" Gravel	5/8" X 3/8" Gravel	3/8" X 3/16" Gravel	3/16"X#10 Gravel	.50 to .60 Sand
BOS Sand	93.00/ton	82.82/ton	81.09/ton	80.31/ton	78.22/ton	59.59/ton
Wedron Silica	No Bid	No Bid	No Bid	No Bid	No Bid	49.00/ton

2.
(Front Page)

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASING
ONE MAIN STREET - ROOM 940
FORT WAYNE, INDIANA 46802

BID REFERENCE # 780

DATE April 17, 1986

DUE DATE May 13, 1986 at 10:00 A.M.

Department receiving bid items Three Rivers Filtration Plant

Griswold Drive

Fort Wayne, Indiana 46805

Bid Bond Required

NO YES X AMOUNT 5%

Performance Bond Required

NO YES X AMOUNT 100%

Affirmative Action

ON FILE X ATTACHED

Prompt payment discounts will be allowed as follows: none net 30 days
if paid within days.

The City of Fort Wayne is exempt from Federal excise and Indiana State Sale Tax. The City's Indiana Sales Tax Exemption Certificate number is 356-001-255 0013, prices should not include these taxes.

The execution hereof by the bidder is acceptance of all terms and conditions herein and in that regard the bidder agrees to be bound by same and be bound to the amount of his/her bid for a period of sixty (60) days.

**FORT
WAYNE
WHERE AMERICA
WORKS**

BOS SAND COMPANY

Name of Company

by *David A. Br...* Agent
(signature)

Address 20 S. Rte. 45

City Frankfort, Illinois 60423

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT OF THE MBE/WBE GOALS OF THE CITY FOR WORK DONE PURSUANT TO THIS CONTRACT:

- (a) _____ The undersigned firm certifies that it is an (MBE/WBE) Contractor (cross out inapplicable provision).

For MBE specify percentage of minority ownership None %.

For WBE specify percentage of women ownership 50 %.

- (b) _____ The undersigned certifies that they are a joint venture in which the following (MBE/WBE) firm _____ (cross out inapplicable provision) is a joint venture partner.

The MBE/WBE (cross out inapplicable provision) firm shall have _____ % participation (employees) _____ % participation (costs) in this project.

Specify the percentage of minority/women ownership in the MBE/WBE firm _____ %. (cross out inapplicable provision)

- (c) The undersigned commits _____ % of the total bid price as a subcontract to minority business enterprise participation. The MBE firms which are proposed as subcontractors are the following:

	<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
1.			
2.			
3.			

- (d) The undersigned commits 75 % of the total bid price as a subcontract to women business enterprise participation. The WBE firms which are proposed as subcontractors are the following:

	<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
1.	Bos Sand Co.	20 S. Rte. 45	Frankfort, Illinois 60423
2.			
3.			

SCHEDULE

1. The contractor agrees to furnish at his/her/its own cost all labor, insurance, materials, equipment, and power for the completed delivery of the supplies.

All supplies and deliveries of supplies will be in accordance with: the IFB, this contract and any applicable plans, specifications, and drawings for a TOTAL PRICE of \$ 17,529.68. (If unit prices are applicable, the contractor agrees to perform for those unit prices as set forth in the Schedule of Unit Prices attached hereto.) The supplies shall be delivered as follows:

As scheduled.

☐ 2. Liquidated Damages Provision. (This clause shall be applicable to this contract only if the box contains a checkmark or "X".)

It is hereby agreed by and between the City of Fort Wayne and contractor that time is of the essence of this agreement, and the contractor agrees that it will deliver the supplies as herein called for on or before the times spelled out in the contract. The parties agree that it is a business and governmental necessity that the supplies be delivered by these dates. The parties agree that in the event the supplies are not delivered by these dates, that it will be difficult or impossible to make an accurate determination of the damages that will be incurred by the City of Fort Wayne, and therefore provide for liquidated damages in the sum of \$ _____ per day as a reasonable estimate as to the damages which would be incurred by the City of Fort Wayne. The parties further agree that causes beyond the control of the contractor may delay delivery of supplies. Therefore, the parties agree that delays in the dates for delivery of supplies beyond the control of the contractor shall not result in liquidated damages.

Delays beyond the control of the contractor can include but are not restricted to: Acts of God or of the public enemy, acts of the United States Government, State of Indiana Government and City of Fort Wayne in either its sovereign or contractual capacity, fires, floods, epidemics, guarantee restrictions, strikes, freight embargoes, and unusually severe weather; but, in every case, the failure to perform must be beyond control and without the fault or negligence of the contractor. If the

Specifications for Sand and Gravel

Bid Reference #780

<u>Quantity</u>	<u>Size</u>	<u>Price per Ton (including freight)</u>	<u>Total Price (including freight)</u>
16 Tons	2" X 1" Gravel	\$ <u>93.00</u>	\$ <u>1,488.00</u>
19 Tons	1" X 5/8" Gravel	\$ <u>82.82</u>	\$ <u>1,573.58</u>
18 Tons	5/8" X 3/8" Gravel	\$ <u>81.09</u>	\$ <u>1,459.62</u>
16 Tons	3/8" X 3/16" Gravel	\$ <u>80.31</u>	\$ <u>1,284.96</u>
16 Tons	3/16" X #10 Mesh Gravel	\$ <u>78.22</u>	\$ <u>1,251.52</u>
176 Tons	0.50 to 0.60 mm Filter Sand	\$ <u>59.59</u>	\$ <u>10,472.00</u>

Sand and gravel shall meet A.W.W.A. specifications for use as
Filtering Material and Underdrain gravel for rapid sand filters

Special Conditions for Delivery

* SHIP IN RAILROAD CAR LESS THAN 65 FEET IN OVERALL LENGTH.

* SHIP GRAVEL IN TWO RAILROAD CARS WITH PARTITIONS AS FOLLOWS:

Car No. 1: 16 tons - 2" X 1" Gravel
10 tons - 1" X 5/8" Gravel
9 tons - 5/8" X 3/8" Gravel
7 tons - 3/8" X 3/16" Gravel
7 tons - 3/16" X #10 Mesh Gravel

Car No. 2: 9 tons - 1" X 5/8" Gravel
9 tons - 5/8" X 3/8" Gravel
9 tons - 3/8" X 3/16" Gravel
9 tons - 3/16" X #10 Mesh Gravel

176 tons of sand ship two (2) - 22 ton truck loads a day for four (4) days.

Filtration Plant will notify of delivery dates

2.
(Front Page)

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASING
ONE MAIN STREET - ROOM 940
FORT WAYNE, INDIANA 46802

BID REFERENCE # 780

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NO YES X AMOUNT 5%

Performance Bond Required

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ON FILE ATTACHED X

Prompt payment discounts will be allowed as follows: 2 %
if paid within 10 days.

The City of Fort Wayne is exempt from Federal excise and Indiana State Sale Tax. The City's Indiana Sales Tax Exemption Certificate number is 356-001-255 0013, prices should not include these taxes.

The execution hereof by the bidder is acceptance of all terms and conditions herein and in that regard the bidder agrees to be bound by same and be bound to the amount of his/her bid for a period of sixty (60) days.

**FORT
WAYNE
WHERE AMERICA
WORKS**

Western Sales Company
Name of Company

by M. P. Smith Agent
(signature)

P. O. Box 112
Address

Western Ill 60501
City

WEDRON SILICA COMPANY

P.O. BOX 119
WEDRON, IL 60557
TELEPHONE (815) 433-2449

MARK P. JUSZLI
Vice President of Marketing

May 8, 1986

Department of Purchases
Room 940
City County Bldg.
One Main Street
Ft. Wayne, Indiana 46802
Attn: Jane

Dear Jane:

Please accept the accompanying bid from Wedron Silica Company for 176 tons of 0.50-0.60 filter sands for your bid reference #780. Our bid, \$49.00/ton delivered, freight prepaid, applies only to dump trucks with coal shoots.

We look forward to serving your needs.

Sincerely yours,

Mark P. Juszli
Mark P. Juszli *mw*

MPJ/mw

enclosures

DIGEST SHEET

TITLE OF ORDINANCE: SPECIAL

DEPARTMENT REQUESTING ORDINANCE: PURCHASING

SYNOPSIS OF ORDINANCE:

J-86-05-37

An ordinance approving City Utilities purchase orders A-45860 and A-45890 with respect to the purchase of Sand and Gravel for the Filtration Plant filters. Per the specifications in reference #780, through the Three Rivers Filtration Plant.

EFFECT OF PASSAGE:

Sand and Gravel is needed to refurbish two (2) water treatment plant filters.

EFFECT OF NON-PASSAGE:

There will be difficulty meeting water quality turbidity standards.

MONEY INVOLVED (Direct costs, Expenditures, Savings):

BOS Sand Company	\$7,057.68	A-45860
Wedron Silica Company	\$8,624.00	A-45890

ASSIGNED TO COMMITTEE (President):

BILL NO. S-86-05-37

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving City Utilities

Purchase Orders #A-45860 and #A-45890, by the City of Fort Wayne,
Indiana, by and through its Department of Purchasing and the BOS
Sand Company and the Wedron Silica Company, respectively, for the
Three Rivers Filtration Plant

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~RESOLUTION~~)

YES

NO

PAUL M. BURNS
CHAIRMAN

THOMAS C. HENRY
VICE CHAIRMAN

BEN A. EISBART

JAMES S. STIER

MARK E. GiaQUINTA

CONCURRED IN 6-10-86

SANDRA E. KENNEDY
CITY CLERK